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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,048	02/05/2001	Masamine Maeda	B208-1122	8686

26272 7590 06/18/2004

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EXAMINER	
SELBY, GEVELL V	
ART UNIT	**PAPER NUMBER**
2615	6

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/777,048	MAEDA, MASAMINE	
	Examiner	Art Unit	
	Gevell Selby	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-24 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☑ The drawing(s) filed on 02/08/01 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-9, 11, 12, 18-20, 22, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Konishi et al., US 5,790,192.

In regard to claims 7, 18, and 24, Konishi et al., US 5,790,192, discloses an image pickup apparatus, method and program for operating the apparatus comprising the following components that perform the method in the program:

an image pickup circuit (see figure 1, element 4) which photoelectrically converts, into pixel signals, a light image formed through a lens; and

a controller (see figure 1, element 1) which performs control in such a way as to change, according to an object an image of which is to be picked up, a method of reducing the pixel signals obtained by said image pickup circuit (see column 13, lines 40-51: When the object is out the picture field of the HD or

panorama reduced pixel modes, the MPU switches to the ordinary image-taking mode.)

In regard to claims 8 and 19, Konishi et al., US 5,790,192, discloses an image pickup apparatus and method according to claims 7 and 18 respectively, wherein said lens is a zoom lens (see column 4, lines 6-7), and said controller controls said zoom lens according to the method of reducing the pixel signals (see column 4, lines 12-19, and column 10, lines 40-44: After a mode is selected, the lens is moved into focus for taking an image in that mode.)

In regard to claims 9 and 20, Konishi et al., US 5,790,192, discloses an image pickup apparatus and method according to claims 7 and 18 respectively, wherein a photo-taking angle of view is compensated even when the method of reducing the pixel signals is changed (see column 12, line 57 to column 13, line 5 and column 13, lines 40-51: When the mode is changes from HD or panorama mode to ordinary picture-taking mode, the distance measuring is preformed again.).

In regard to claims 11 and 22, Konishi et al., US 5,790,192, discloses an image pickup apparatus and method according to claims 7 and 18 respectively, wherein said controller changes the method of reducing the pixel signals on the basis of evaluation values obtained from at least two distance measuring points (see column 10, lines 28-44).

In regard to claim 12, Konishi et al., US 5,790,192, discloses an image processing system (see figure 1, element 1) having a plurality of apparatuses communicatively interconnected (see figure 1, elements 2, 4, 6-8), wherein at least one of said plurality of

apparatuses has a function of an image pickup apparatus (see figure 1, element 4) according to claim 7.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-6, 10, 13-17, 21, and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406.

In regard to claims 1, 13, and 23, Konishi et al., US 5,790,192, discloses an image pickup apparatus, method, and program for operating the apparatus, comprising the following components that perform the method in the program:

an image pickup circuit (see figure 1, element 4) which photoelectrically converts, into pixel signals, a light image formed through a lens; and

a setting controller (see figure 1, element 1) which sets an image pickup mode selected from among a plurality of image pickup modes (see column 4, lines 53-55), said plurality of image pickup modes including at least a first mode (panorama mode) in which the pixel signals obtained by said image pickup circuit are reduced by extracting pixel signals of a predetermined continuous area from the pixel signals obtained by said image pickup circuit (see figure 3A and column 4, lines 58-63) and a second mode (HD mode) in which the pixel signals obtained

by said image pickup circuit are not reduced more than in the first mode (see figure 3B and column 4, line 64 to column 5, line 4).

The Konishi reference lacks a mode in which the pixel signals obtained by said image pickup circuit are reduced by thinning out the pixel signals obtained by said image pickup circuit according to a predetermined rule.

Parulski et al., US 5,828,406, discloses an image pickup apparatus with a still image capture mode and a motion preview mode that involves mapping the image sensor pixels into a fewer number of color display pixels on a LCD display (see column 2, lines 22-37). The Parulski reference teaches the advantage of the of the invention is that the two modes can be tailored for a relatively low quality "motion" mode and a much higher quality still mode to reduce the complexity of the circuitry (see column 2, lines 38-51).

It would have been obvious to one of ordinary skilled in the art at the time of invention to have been motivated to modify Konishi et al., US 5,790,192 in view of Parulski et al., US 5,828,406, to have a third mode wherein the pixels of the image pickup circuit are reduced by thinning out the pixels according to a predetermined rule in order to provide a low resolution display with reduced complexity as taught by Parulski.

In regard to claims 2 and 14, Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406, discloses an image pickup apparatus and method according to claims 1 and 13 respectively, wherein the image pickup mode to be set for picking up a moving image (see Parulski: column 2, lines 22-37: motion preview mode) differs from the image pickup mode to be set for picking up a still image (see Konishi: column 5, lines 10-22: panorama or HD mode).

In regard to claims 3 and 15, Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406, discloses an image pickup apparatus and method according to claims 2 and 13 respectively, wherein said third mode is set for picking up a still image (see Konishi: figure 3B and column 4, line 64 to column 5, line 4).

In regard to claims 4 and 16, Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406, discloses an image pickup apparatus and method according to claims 1 and 13 respectively, wherein the image pickup mode is set according to an object an image of which is to be picked up (see Konishi: column 13, lines 40-51).

In regard to claims 5 and 17, Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406, discloses an image pickup apparatus and method according to claims 1 and 13 respectively, wherein said setting controller sets the image pickup mode on the basis of evaluation values obtained from at least two distance measuring points (see Konishi: column 10, lines 28-44).

In regard to claims 6, Konishi et al., US 5,790,192, in view of Parulski et al., US 5,828,406, discloses an image processing system (see Konishi: figure 1, element 1) having a plurality of apparatuses communicatively interconnected (see Konishi: figure 1, elements 2, 4, 6-8), wherein at least one of said plurality of apparatuses has a function of an image pickup apparatus (see Konishi: figure 1, element 4) according to claim 1.

In regard to claims 10 and 21, Konishi et al., US 5,790,192, discloses an image pickup apparatus and method according to claims 7 and 18 respectively, wherein the method of reducing the pixel signals includes at least a first mode (panorama mode) in which the pixel signals obtained by said image pickup circuit are reduced by extracting

pixel signals of a predetermined continuous area from the pixel signals obtained by said image pickup circuit (see Figure 3a and column 4, lines 58-63).

The Konishi reference lacks a mode in which the pixel signals obtained by said image pickup circuit are reduced by thinning out the pixel signals obtained by said image pickup circuit according to a predetermined rule.

Parulski et al., US 5,828,406, discloses an image pickup apparatus with a still image capture mode and a motion preview mode that involves mapping the image sensor pixels into a fewer number of color display pixels on a LCD display (see column 2, lines 22-37). The Parulski reference teaches the advantage of the of the invention is that the two modes can be tailored for a relatively low quality "motion" mode and a much higher quality still mode to reduce the complexity of the circuitry (see column 2, lines 38-51).

It would have been obvious to one of ordinary skilled in the art at the time of invention to have been motivated to modify Konishi et al., US 5,790,192 in view of Parulski et al., US 5,828,406, to have a third mode wherein the pixels of the image pickup circuit are reduced by thinning out the pixels according to a predetermined rule in order to provide a low resolution display with reduced complexity as taught by Parulski.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art discloses image pickup apparatuses with multiple operating modes:

US 6,002,429,

US 6,661,451,

US 6,697,106,

US 6,727,949,

US 6,018,363,

US 6,445,416.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Ngoc-Yen Vu can be reached on 703-305-4946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

NGOC-YEN VU
PRIMARY EXAMINER